

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>  <div style="text-align: center;"><b>Plaintiff,</b></div>  <div style="text-align: center;"><b>vs.</b></div>  <b>ROYCE A. BROWN,</b>  <div style="text-align: center;"><b>Defendant.</b></div>	) ) ) ) ) ) ) ) ) )	<b>8:08CR227</b> <b>8:04CR195</b>  <b>ORDER</b>
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This matter is before the court on the Petition for Action on Conditions of Pretrial Release (Petition) regarding defendant Royce A. Brown (Brown) (Filing No. 13). On June 16, 2008, Brown was ordered released upon conditions pending further proceedings pursuant to his conditions of release in a related case involving a violation of supervised release (***U.S. v. Brown***, 8:04CR195 - Filing No. 46) (Filing No. 5). Brown was to reside in Omaha, Nebraska, and comply with various other conditions of pretrial release. On July 31, 2008, Pretrial Services Officer Jennifer Iverson submitted a Petition alleging Brown had violated the conditions of his release by failing to maintain employment and by failing to report to Pretrial Services or his Probation Officer as directed. A warrant for Brown's arrest was issued.

Brown appeared before the undersigned magistrate judge on August 4, 2008. He was represented by Assistant Federal Public Defender Julie B. Hansen. The United States was represented by Assistant U.S. Attorney Maria R. Moran. After being advised of the nature of the allegations, his rights, and the consequences if the allegations were found to be true, Brown denied the allegations of the Petition. The court took judicial notice of the Pretrial Services Violation Report. There was no further evidence adduced. The court finds the allegations of the petition are generally true and Brown has violated the conditions of his release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release should be revoked. Brown has demonstrated he is unable to comply with rules of his release.

**IT IS ORDERED:**

1. The Petition For Action on Conditions of Pretrial Release (Filing No. 13) is granted.
2. The June 16, 2008 Setting Conditions of Release of Royce A. Brown is hereby revoked.
3. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 5th day of August, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge